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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CORY DARNELL HOLLAND, SR.,

Plaintiff,

-v-

CURTIS “50 CENT” JACKSON,

Defendant.
-----X

ORDER

23-CV-2119 (AT) (JLC)

JAMES L. COTT, United States Magistrate Judge.

Pro se plaintiff, Cory Darnell Holland, Sr., brings this action alleging that Defendant, Curtis “50 Cent” Jackson (“Jackson”), retaliated against him for filing an earlier lawsuit, *Jackson v. Lions Gate Entertainment and Films et al.*, No. 22-CV-2944. According to the United States Marshals’ Process Receipt, the Marshals attempted service on June 2, 2023, but Jackson could not be served because the address provided is no longer valid. Dkt. No. 10.

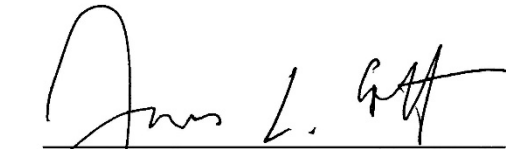
Because Holland has been granted permission to proceed *in forma pauperis* (“IFP”), he is entitled to rely on the Court and the U.S. Marshals Service to effect service. *See, e.g., Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP). Holland has since provided an updated address at which Jackson may be served. *See* Dkt. No. 13.

To allow Holland to effect service on Jackson through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process

Receipt and Return form (“USM-285 form”) for Jackson. The Clerk of Court is further instructed to issue a summons and deliver to the U.S. Marshals Service all the paperwork necessary for the U.S. Marshals Service to effect service upon Jackson. If the complaint is not served within 90 days after the date the summons is issued, Holland should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (plaintiff’s responsibility to request extension of time for service).

SO ORDERED.

Dated: New York, New York
August 21, 2023



JAMES L. COTT
United States Magistrate Judge